

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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FOCUSPOINT  
INTERNATIONAL, INC.,

Plaintiff,

v.

CHIACCHIA, et al.,

Defendants.

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CASE NO. 1:22-cv-00185

ORDER

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

Plaintiff sues former employee, Defendant James Chiacchia, and alleged competitor, Defendant Covac Global Holdings, Inc., for breach of contract, misappropriation of trade secrets, unfair competition, and tortious interference with contract.<sup>1</sup>

Plaintiff asks this Court to issue a temporary restraining order and preliminary injunction against Defendants.<sup>2</sup> Plaintiff also requests this Court grant it leave to conduct expedited discovery in preparation for a preliminary injunction hearing.<sup>3</sup> Defendant Chiacchia opposes.<sup>4</sup>

In response, Defendant Covac filed a motion to dismiss.<sup>5</sup> In the motion to dismiss, Covac argues that this Court does not have personal jurisdiction over it. Covac alternatively says that this Court does not have diversity subject matter jurisdiction because Covac and FocusPoint International both have Florida principal places of business.

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<sup>1</sup> Doc. 1.

<sup>2</sup> Docs. 5; 7.

<sup>3</sup> *Id.*

<sup>4</sup> Doc. 14.

<sup>5</sup> Docs. 8; 8-1. Defendant Covac seeks a stay until after the jurisdictional issues have been decided. Doc. 11.

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Defendant Chiacchia filed a motion to dismiss challenging this Court's subject matter jurisdiction.<sup>6</sup>

This Court **ORDERS** expedited jurisdictional discovery. This Court further **ORDERS** Plaintiff to file its opposition to Defendants' motions to dismiss by February 21, 2022 and **ORDERS** Defendants to file any reply by February 28, 2022.

IT IS SO ORDERED.

Dated: February 14, 2022

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>6</sup> Doc. 13. Defendant Chiacchia, in the alternative, moves to dismiss for lack of venue and, in the alternative, moves to transfer for forum non-conveniens.